

DAC#

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231.

Name (Print/Type)	Teri Muir	Signature	Teri Muir		Date	12-17-01
-------------------	-----------	-----------	-----------	--	------	----------

OTPE JC186
DEC 27 2001
PATENT & TRADEMARK OFFICE

TRANSMITTAL

☒ Small Entity

☐ Large Entity

Application Number	09/828,539
Confirmation Number	
Filing Date	April 5, 2001
First Named Inventor	Howard Preissman
Examiner	
Group Art	3738
Attorney Docket No.	PLAX002CON

ENCLOSED:	Claims	No. of claims as filed or after amendment	Most claims previously paid for	# Extra Claims	Rate	Totals
<input type="checkbox"/> Amendment Under Rule	Total					\$ -
<input type="checkbox"/> 37 CFR §	Independent					\$ -
<input type="checkbox"/> Pages	Multiple					
Total Extra Claim Fees						\$ -

☐ Applicants Petition for an Extension of time from _____ to _____

Fee _____
A _ month extension was previously filed and paid for thereby reducing the basic fee

☒ Request for Petition of Filing Date

Fee 130

☒ Copy Express Mail Label Fee _____
☐ Executed Declaration Surcharge Fee _____
☒ Express Mail Receipt, Copy of Patent Application, Copy of Patent Application Transmittal, Fee _____
 Copy of Resp _____ Fee _____
 _____ Fee _____
 _____ Fee _____

Subtotal \$130.00

☐ Information Disclosure Statement

Fee _____

☐ PTO Form 1449 Pages _____
☐ _____ Copies of Cited References _____
☐ Other _____

Subtotal \$ -

☐ Response to Notice to Comply (with copy of Notice to Comply)


Fee _____

☐ Sequence Listing Certification Pages _____
☐ Paper Copy of Sequence Listing _____
☐ Diskette in computer-readable format _____
☐ Other _____

RECEIVED

DEC 28 2001

OFFICE OF PETITIONS
DEPUTY A/C PATENTS

<input type="checkbox"/> Terminal Disclaimer		Fee
<input type="checkbox"/> Appeal to Board of Appeals and Appeal Communication to Group		
<input type="checkbox"/> Notice of Appeal	Pages _____	Fee _____
<input type="checkbox"/> Appeal Brief in Triplicate	Pages _____	Fee _____
<input type="checkbox"/> Reply Brief	Pages _____	Fee \$ -
		Subtotal \$ -
<input type="checkbox"/> Other Enclosures and/or Fees _____		Fee _____
<input type="checkbox"/> Change of Correspondence Address		
<input checked="" type="checkbox"/> Return Receipt Postcard		TOTAL FEES \$130.00
The Commissioner is authorized to charge any fees which may be required, or credit any overpayment to Deposit Account 50-0815. If additional fees are required, including extensions of time, please consider this a petition therefore. A duplicate copy of this transmittal is enclosed.		
SIGNATURE OF APPLICANT, ATTORNEY OR AGENT REQUIRED		
Name (Print/Type)	Frank P. Becking	Registration No. 42,309
Signature		Date 12-17-2001
Firm Name	Bozicevic, Field & Francis LLP	Address 200 Middlefield Road, Suite 200
City	Menlo Park	State California zip 94025
Telephone - Direct Dial	650-327-3400	Facsimile 650-327-3231

Application No. 09/828,539 Attorney Docket No. PLAX002CON Page 2 of 2

RECEIVED

DEC 28 2001

**OFFICE OF PETITIONS
DEPUTY A/C PATENTS**

Please type a plus sign (+) inside this box: ☐pro use through 10/31/02. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

UTILITY PATENT APPLICATION TRANSMITTAL (Only for new non-provisional applications under 37 CFR 1.53(b))	Attorney Docket No.	361722000201
	First Inventor	Howard PREISSMAN
	Title	ENHANCED VISIBILITY MATERIALS FOR IMPLANTATION IN HARD TISSUE
	Express Mail Label No.	EM056842727US

CERTIFICATE OF MAILING BY "EXPRESS MAIL"

Express Mail Label No.: EM056842727US Date of Deposit: April 5, 2001

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on the date indicated above and is addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231.

Tamara Venegas
Tamara Venegas

APPLICATION ELEMENTS See MPEP chapter 600 concerning utility patent application contents.	ADDRESS TO: Assistant Commissioner for Patents Box Patent Application Washington, DC 20231
---	---

1. <input checked="" type="checkbox"/> Fee Transmittal Form (e.g. PTO/SB/17) (Submit an original, and a duplicate for fee processing) 2. <input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. 3. <input checked="" type="checkbox"/> Specification [Total Pages <input type="text" value="16"/>] (preferred arrangement set forth below) - Descriptive title of the invention - Cross Reference to Related Applications - Statement Regarding Fed sponsored R & D - Reference to sequence listing, a table, or a computer program listing appendix - Background of the invention - Brief Summary of the invention - Brief Description of the Drawings (if filed) - Detailed Description - Claim(s) - Abstract of the Disclosure 4. <input checked="" type="checkbox"/> Drawing(s) (35 USC 113) [Total Sheets <input type="text" value="2"/>] 5. Oath or Declaration [Total Pages <input type="text" value="2"/>] a. <input type="checkbox"/> Newly executed (original or copy) b. <input checked="" type="checkbox"/> Copy from a prior application (37 CFR 1.63(d)) (for continuation/divisional with Box 17 completed) i. <input type="checkbox"/> DELETION OF INVENTOR(S) Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b) 6. <input checked="" type="checkbox"/> Application Data Sheet. See 37 CFR 1.76 - 2 pages	7. <input type="checkbox"/> CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix) 8. Nucleotide and/or Amino Acid Sequence Submission (If applicable, all necessary) a. <input type="checkbox"/> Computer Readable Form (CRF) b. Specification Sequence Listing on: i. <input type="checkbox"/> CD-ROM or CD-R (2 copies); or ii. <input type="checkbox"/> paper c. <input type="checkbox"/> Statements verifying identity of above copies ACCOMPANYING APPLICATION PARTS 9. <input type="checkbox"/> Assignment Papers (cover sheet & document(s)) 10. <input type="checkbox"/> 37 CFR 3.73(b) Statement (where there is an assignee) <input type="checkbox"/> Power of Attorney 11. <input type="checkbox"/> English Translation document (if applicable) 12. <input type="checkbox"/> Information Disclosure Statement (IDS)/PTO-1449 <input type="checkbox"/> Copies of IDS Citations 13. <input checked="" type="checkbox"/> Preliminary Amendment - 2 pages 14. <input checked="" type="checkbox"/> Return Receipt Postcard (MPEP 503) Should be specifically itemized 15. <input type="checkbox"/> Certified Copy of Priority Document(s) (If foreign priority is claimed) 16. <input type="checkbox"/> Request and Certification under 35 U.S.C. 122(b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent. 17. <input type="checkbox"/> Other
---	--

18. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☒ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No: 09/420,093 filed October 18, 1999

Prior application information:

Examiner C. Koh

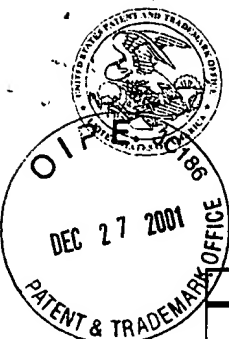
Group / Art Unit: 3738

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. This incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

19. CORRESPONDENCE ADDRESS

☒ Customer Number on Bar Code Label or ☐ Correspondence address below

RECEIVED DEC 28 2001 OFFICE OF PETITIONS DEPUTY A/C PATENTS		25226 PATENT TRADEMARK OFFICE		COPY	
(Insert Customer No. or Attach bar code label here)					
Name	Frank P. Becking, Morrison & Foerster LLP				
Address	755 Page Mill Road				
City	Palo Alto	State	California	Zip Code	94304
Country	U.S.A.	Telephone	(650) 813-5777	Fax	(650) 494-0792
Name (Print Type)	Frank P. Becking	Registration No. (Attorney/Agent)	42,309		
Signature	<u>Frank P. Becking</u>		Date	April 5, 2001	



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, DC 20231
www.uspto.gov

APPLICATION NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
09828539	04/04/01	Howard Preissman	361722000201

Frank P. Becking
Morrison & Foerster LLP
755 Page Mill Road
Palo Alto, CA 94304

RECEIVED

DEC 03 2001

Morrison & Foerster, LLP
Palo Alto

Date Mailed: 11/28/01

RESPONSE TO REQUEST FOR CORRECTED FILING RECEIPT

Application Filing Date

RECEIVED

DEC 28 2001

OFFICE OF PETITIONS
DEPUTY A/C PATENTS


In response to your request for a corrected Filing Receipt, the Office can not comply with your request because:

- ☒ If your application was submitted under 37 CFR 1.10, your filing date should be the "date in" found on the Express Mail label. If there is a discrepancy, a petition to accord a filing date should be submitted along with a copy of the Express Mail label showing the "date in" and be directed to the Office of Petitions.
- ☐ A copy of the Express Mail label was not enclosed with your request. Petitions under 37 CFR 1.10 require a copy of the Express Mail Label to be submitted.
- ☐ The "date in" on the Express Mail label is the date given on the Filing Receipt.
- ☐ The filing date accorded to the application is the date the application met the filing date requirements of 37 CFR 1.53(b) or (c).
- ☐ Applications submitted with a certificate of mailing under 37 CFR 1.8 are accorded a filing date as of the date the application is received in the U.S. Patent and Trademark Office. A request to review the filing date accorded to the application must be in the form of a petition.
- ☐ The filing date on your return postcard is the same as the date on your Filing Receipt. A request to review the filing date accorded to the application must be in the form of a petition.

DOCKETED
12/13/01

A petition under 37 CFR 1.10, 37 CFR 1.53 or 37 CFR 1.182 is needed to request a change to the filing date. A \$130 petition fee is required for a petition under 1.53 or 1.182. If you choose to file a petition, the petition and the \$130 petition fee, if any, should be directed to:

Box DAC
Commissioner for Patents
Washington, DC 20231



Customer Service Center
Initial Patent Examination Division
(703) 308-1202